

## REMARKS

This amendment is being filed in response to an Office Action mailed 12/27/2005, in which the Examiner said that claims 1-22 were pending, that claims 9-12, 20, and 22 were withdrawn from consideration, that claims 1-5, 13, 14, 18, 19, and 21 were rejected, and that claims 6-8 and 15-17 were objected to. In this amendment, claims 13, 14, and 18 are canceled, claims 1-4, 6, and 15 are amended to overcome reasons given by the Examiner for rejections and objections, and claims 9-12 and 19-22 are withdrawn, with claims 19-22 additionally being amended.

### Objections to the Specification

The Examiner said that the disclosure was objected to because, on page 2, "6,536,606" should be "6,536,696." This error is corrected herein.

### Claims to which Objections were Made

The Examiner said that claims 6-8 and 15-17 were objected to as being dependent on a rejected base claim, but that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intermediate claims.

In this amendment, this has been done, with claim 6 being rewritten to include all of the limitations of the base claim 1 and the intermediate claim 5. Since dependent claims 7 and 8 merely add limitations to claim 6, these claims 7 and 8 remain in their original form. Claim 15 has been rewritten to include all the limitations of the independent claim 13. Since claims 16 and 17 merely add limitations to claim 15, these claims 16 and 17 remain in their original form.

## Claims Rejected under 35 USC §102

In the above-mentioned Office Action, the Examiner said that claims 1-4 were rejected under 35 USC §102(a) or (e) as being anticipated by U.S. Pat. No. 6,536,696 to Fiutak et al.

5       **Regarding claim 1**, the Applicants respectfully submit that Fiutak et al. does not anticipate the requirement of claim 1 for each of the bearing members to be held in the outward position, with the outward position being defined within the claim as having the tapered surface of the bearing member held out of the space between the side plates. The apparatus of Fiutak et al has no mechanism for  
10       doing this, with the springs 40 holding the bearing members inward position but with nothing holding the bearing members in the outward position. The paper roll itself moves the bearing members of Fiutak et al. toward the outward position, but they cannot move each of the bearing members into an outward position, with the tapered portion outside the side plates, as the paper roll must be  
15       narrower than the space between the side plates to move freely downward between the side plates, so that it can freely rotate. This relationship between the width of the paper roll and the distance between the side plates is clearly shown in FIG. 2 of Fiutak et al. This difference between the apparatus of the Applicants' invention and that of Fiutak et al. is particularly significant, since it is  
20       used to provide a capability for setting up the apparatus to operate either in a mode in which the paper roll is merely dropped in and a mode in which the paper roll is snapped into place to rotate. In the apparatus of Fiutak et al., the paper roll can only be snapped in.

25       Furthermore, in this amendment, claim 1 is amended to include a requirement that the paper roll is rotatably supported within the cavity by the lower support surface and the pair of spaced-apart side plates as a web is pulled from the paper roll with the bearing members held in the outward position. Support for this change is found in the specification as originally filed on page 5, line 9, through page 6, line 2.

In the apparatus of Fiutak et al., the paper roll cannot be supported in this way to rotate with a web being pulled from the paper roll. The bearing members are held inward by the springs, so that the roll can rotate freely only when the bearing members extend into the opening of the tubular core 32 of the paper roll, with the paper roll being held away from the lower support surface and from the side plates, as shown in FIG. 2. For the reasons described above, the Applicants respectfully submit that claim 1, as amended herein, is patentable under 35 USC §102(a) or (e) as not being anticipated by Fiutak et al.

**Regarding claims 2-4.** since dependent claims 2-4 merely add limitations to claim 1, it is believed that, for reasons described above regarding claim 1 as amended herein, claims 2-4 are patentable under 35 USC §102(a) or (e) as not being anticipated by Fiutak et al.

In the above-mentioned Office Action, the Examiner also said that claims 1, 3, 5, 13, 18, and 21 were rejected under 35 USC §102(a) or (e) as being anticipated by U.S. Pat. No. 6,503,008 to Zeven et al.

**Regarding claim 1,** as described above, in this amendment, this claim is amended to include a requirement that the paper roll is rotatably supported within the cavity by the lower support surface and the pair of spaced-apart side plates as a web is pulled from the paper roll with the bearing members held in the outward position. Support for this change is found in the specification as originally filed on page 5, line 9, through page 6, line 2.

The Applicants respectfully submit that Zevin et al. does not anticipate the requirement of claim 1, as modified herein, for the paper roll to be rotatably supported within the cavity by the lower support surface and the pair of spaced-apart side plates as the web is pulled from the paper roll with the bearing surfaces held in the outward position. Instead, the apparatus of Zevin et al. presents a pair of core adapters 38 having a diameter larger than that of the tapered surface when the tapered surfaces are turned outward, with the core

adapters being held together by an extension spring 138 and a gear arrangement, as shown in FIG. 8. Therefore, the Applicants respectfully submit that claim 1, as amended herein, is patentable under 35 USC §102(a) or (e) as not being anticipated by Zevin et al.

5     **Regarding claim 3**, in this amendment, this claim is modified to depend upon claim 6 instead of upon claim 1. Since claim 3 now merely adds limitations to claim 6, as amended herein, which has been indicated to be allowable by the Examiner, as described above in reference to claims to which objections were made, the Applicants respectfully submit that claim 5, as amended herein, is  
10     allowable.

**Regarding claim 5**, since this dependent claim merely adds limitations to claim 1, it is believed that, for reasons described above regarding claim 1 as amended herein, claim 5 is patentable under 35 USC §102(a) or (e) as not being anticipated by Zevin et al.

15     **Regarding claims 13 and 18**, in this amendment, these claims are canceled.

**Regarding claim 21**, since dependent claim merely adds limitations to claim 18, it is believed that, for reasons described above regarding claim 18 as amended herein, claim 21 is patentable under 35 USC §102(a) or (e) as not being anticipated by Zevin et al.

20     **Claims Rejected under 35 USC §103**

In the above-mentioned Office Action, the Examiner said that claims 2, 14, and 19 were rejected under 35 USC §103(a) as being unpatentable over Zevin et al. in view of U.S. Pat. No. 1,778,282 to Stewart, since Stewart discloses another roll holder in which portions of a sphere are used to engage the roll core.

25     **Regarding claim 2**, the Applicants respectfully submit that Zevin et al. does not anticipate the requirement of claim 1, as modified herein, for the paper roll to be rotatably supported within the cavity by the lower support surface and the pair of

spaced-apart side plates as the web is pulled from the paper roll with the bearing surfaces held in the outward position. Instead, the apparatus of Zevin et al. presents a pair of core adapters 38 having a diameter larger than that of the tapered surface when the tapered surfaces are turned outward, with the core adapters being held together by an extension spring 138 and a gear arrangement, as shown in FIG. 8.

Since, in the apparatus of Stewart, there is nothing to rotatably support the paper roll when the bearing elements are moved outward, away from the paper roll, adding the teachings of Stewart to those of Zevin, et al., does not overcome this deficiency in describing the limitations of claim 1, as modified herein. Since claim 1 merely adds its limitations to those of claim 1, the Applicants respectfully submit that claim 2 is patentable under 35 USC §103(a) as not being anticipated by Zevin et al. in view of Stewart.

**Regarding claim 14**, in this amendment, this claim is canceled.

#### **Claims Withdrawn from Consideration**

In the above-mentioned Office Action, the Examiner said that claims 9-12, 20, and 22 were withdrawn from consideration as being drawn to a non-elected species, there being no allowable generic claim. In this amendment, these claims are shown as being withdrawn, and claim 19 is additionally shown as being withdrawn due to the cancellation of claim 18. However, the Applicants respectfully submit that claim 1, as amended herein, provides an allowable generic claim, for reasons discussed in detail above. Therefore, the Applicants respectfully respect reconsideration of the withdrawn claims.

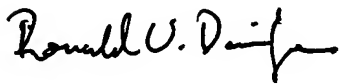
**Regarding claim 20**, in this amendment, this claim is rewritten in independent form, including all of the limitations of claim 18.

**Regarding claims 19, 21, and 22**, in this amendment, these claims are rewritten to depend upon claim 20, instead of upon the canceled claim 18.

## Conclusions

For reasons described in detail above, the Applicants respectfully submit that the application, including claims 1-12, 15-17, and 19-22, is in condition for allowance, and that action is earnestly requested, along with reconsideration and withdrawal of all reasons for objections and rejections.

Respectfully submitted,



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